

CITY COUNCIL  
ATLANTA, GEORGIA

An Ordinance By:

*C.T. Martin*  
*Ray Norwood*  
*Clair Muller* *Howard Smith*

02-0 -0835

AMENDING THE 2002 WATER AND WASTEWATER BOND -  
CONSTRUCTION FUND BUDGET IN THE AMOUNT OF  
\$30,000,000.00 FOR THE CONSTRUCTION OF THE NANCY  
CREEK TUNNEL AND PUMP STATION SANITARY SEWER  
IMPROVEMENTS AS REQUIRED BY THE FIRST AMENDED  
CONSENT DECREE AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta owns and operates a wastewater collection system, and

WHEREAS, the City has entered into a consent decree that requires that certain  
improvements be made to the collection system by the dates specified in the consent  
decree, and

WHEREAS, improvements to the Nancy Creek Trunk Sewer System must be completed  
in the year 2005, and

WHEREAS, sufficient funding is required to award the construction contracts for the  
Nancy Creek Tunnel and the Nancy Creek Tunnel Pump Station projects.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
ATLANTA; as follows:

SECTION 1: That the 2002 Water and Wastewater Bond Construction Fund Budget be  
amended as follows:

**TRANSFER FROM APPROPRIATIONS**

|                          |                              |                        |
|--------------------------|------------------------------|------------------------|
| 2J27 774001 M24I02669999 | Custer Ave. Sewer Separation | \$ 3,000,000.00        |
| 2J27 774001 M24I02679999 | CSO-West Tunnels             | \$24,000,000.00        |
| 2J27 774001 M24I02689999 | CSO-East Tunnels             | <u>\$ 3,000,000.00</u> |
|                          | <b>Total</b>                 | <b>\$30,000,000.00</b> |

**TRANSFER TO APPROPRIATIONS**

|                          |                                |                        |
|--------------------------|--------------------------------|------------------------|
| 2J27 724001 M24I02429999 | Consultant, Professional Serv. | \$15,574,000.00        |
| 2J27 771001 M24I02429999 | Land                           | \$ 500,000.00          |
| 2J27 772001 M24I02429999 | Easements                      | \$ 1,838,000.00        |
| 2J27 774001 M24I02429999 | Facilities Other than Bldgs.   | <u>\$12,088,000.00</u> |
|                          | <b>Total</b>                   | <b>\$30,000,000.00</b> |

SECTION 2: That all ordinances or parts of ordinances in conflict herewith be, and the  
same are hereby repealed.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, OMC

ADOPTED by the Council  
APPROVED by the Mayor

MAY 20, 2002  
MAY 28, 2002

## Nancy Creek Sewer System Improvements

**Nancy Creek Tunnel:** Design was completed by Jordan, Jones & Goulding in December 2001. Bids were received on March 20, 2002 from the following acceptable bidders:

|   |               |
|---|---------------|
| Obayashi Corporation/CJB Contracting JV         | \$122,100,000 |
| Nancy Creek Tunnelers JV                        | \$124,040,024 |
| Affholder/Archer Western/Capital Contracting JV | \$128,178,155 |
| J.F. Shea Construction/Traylor Bros/Mass Ana JV | \$141,400,000 |
| Allowances (Add to all Bidders)                 | \$ 15,900,000 |

This project must be completed by August 31, 2005 as required by the first amended consent decree.

The project costs for completion of the Nancy Creek Tunnel project are as follows:

|                                    |                      |
|------------------------------------|----------------------|
| Land Acquisition                   | \$ 2,126,000         |
| Construction                       | \$138,000,000        |
| Engineering Services During Const. | \$ 4,500,000         |
| Construction Management Services   | \$ 8,000,000         |
| <b>Subtotal</b>                    | <b>\$152,626,000</b> |


**Nancy Creek Pump Station:** This project has been designed to about the 30% level and a cost has been prepared by the Design/Build Contractor. The pump station and tunnel project require a standby generator which will be provided by Georgia Power, but paid for by the City. A Phase 1.5 contract amendment for site work and demolition of the Steam Plant was approved by Council in March 2002.

The project costs for completion of the Nancy Creek Pump Station are as follows:

|  |                      |
|--|----------------------|
| Standby Generator (thru GA Power)      | \$ 5,000,000         |
| Phase I.5 Site Work & Steam Plant Demo | \$ 2,529,501         |
| Phase II Construction                  | \$ 34,524,704        |
| Engineering Services During Const.     | \$ 1,210,000         |
| Construction Management Services       | \$ 1,864,000         |
| <b>Subtotal</b>                        | <b>\$ 45,128,205</b> |

This project must be completed by August 31, 2005 as required by the first amended consent decree.

**Funding:** The Department of Public Works recommends amending the 2001 Water and Wastewater Bond Construction Fund as per the attached legislation to ensure that enough funding is in place to award the Nancy Creek Tunnel construction contract and to support



proceeding with Phase II construction of the Nancy Creek Pump Station in a timely fashion such that the consent decree deadline can be met.

The 2001 Water and Wastewater Bond Construction Fund for Nancy Creek included estimates for the Tunnel, the Pump Station, and a Nancy Creek Diversion Project. The adjustment is required due to: 1) the actual construction bid documents for the Nancy Creek Tunnel not being complete at the time that the initial bond funding was calculated and the actual bids coming in higher than estimated, 2) the preliminary design of the Nancy Creek Pump Station not being completed at the time that the initial bond funding was calculated and the cost for the pump station coming in higher than estimated, and 3) the Nancy Creek Diversion Project being included in the bond funding but which is no longer needed.

The Department of Public Works recommends that the adjustment needed for the Nancy Creek Tunnel and Pump Station projects be transferred from the accounts for the West and East Area CSO Tunnels and the Custer Ave. Sewer Separation Project. Currently the focus for these projects is design. Construction is not scheduled to begin on the Tunnel until mid-2004. The remaining funds in this cost center should be sufficient for the planned design task. Funds needed for the construction of these projects shall be included in future bonds that are anticipated to be sold in 2003 so that construction can commence in 2004.

The project costs for completion of the Nancy Creek Tunnel and Pump Station improvements are as follows:

|                                     |                          |
|-------------------------------------|--------------------------|
| Nancy Creek Tunnel                  | \$152,626,000            |
| Nancy Creek Pump Station            | <u>\$ 45,128,205</u>     |
| <b>Total</b>                        | <b>\$197,754,205</b>     |
| <br>Current Funding                 | <br>\$163,500,000        |
| <br>Variance                        | <br>(\$ 33,254,205)      |
| Contingency                         | <u>\$ 1,745,795</u>      |
| <br><b>Amount to be transferred</b> | <br><b>\$ 35,000,000</b> |

RCS# 3731  
5/20/02  
2:33 PM

Atlanta City Council

Regular Session

CONSENT I            PGS. 1-15: Except 02-O-0852; 02-R-0729

ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

|           |             |           |            |
|-----------|-------------|-----------|------------|
| Y Smith   | Y Archibong | Y Moore   | Y Mitchell |
| Y Starnes | Y Fauver    | NV Martin | Y Norwood  |
| NV Young  | Y Shook     | Y Maddox  | B Willis   |
| Y Winslow | Y Muller    | Y Boazman | NV Woolard |

CONSENT I

CONSENT AGENDA MAY 20, 2002

ITEMS ADOPTED ON THE  
CONSENT AGENDA

|           |           |
|-----------|-----------|
| 02-R-0813 | 02-R-0753 |
| 02-R-0812 | 02-R-0754 |
| 02-R-0807 | 02-R-0755 |
| 02-R-0805 | 02-R-0756 |
| 02-R-0721 | 02-R-0757 |
| 02-R-0504 | 02-R-0758 |
| 02-R-0808 | 02-R-0759 |
| 02-R-0708 | 02-R-0760 |
| 02-R-0707 | 02-R-0761 |
| 02-R-0882 |           |
| 02-R-0881 |           |
| 02-R-0809 |           |
| 02-R-0798 |           |
| 02-R-0797 |           |
| 02-R-0732 |           |
| 02-R-0706 |           |
| 02-R-0724 |           |
| 02-R-0802 |           |
| 02-R-0888 |           |
| 02-R-0887 |           |
| 02-R-0733 |           |
| 02-R-0731 |           |
| 02-R-0728 |           |
| 02-R-0727 |           |
| 02-O-0846 |           |
| 02-O-0830 |           |
| 02-O-0703 |           |
| 02-O-0699 |           |
| 02-O-0671 |           |
| 02-O-0606 |           |
| 02-O-0605 |           |
| 02-O-0833 |           |
| 02-O-0601 |           |
| 02-O-0488 |           |
| 02-O-0836 |           |
| 02-O-0845 |           |
| 02-O-0844 |           |
| 02-O-0843 |           |
| 02-O-0835 |           |
| 02-O-0834 |           |
| 02-O-0603 |           |
| 02-R-0735 |           |
| 02-R-0752 |           |

ITEMS ADVERSED ON THE  
CONSENT AGENDA

|           |
|-----------|
| 02-R-0762 |
| 02-R-0763 |
| 02-R-0764 |
| 02-R-0765 |
| 02-R-0766 |
| 02-R-0767 |
| 02-R-0768 |
| 02-R-0769 |
| 02-R-0770 |
| 02-R-0771 |
| 02-R-0772 |
| 02-R-0773 |
| 02-R-0774 |
| 02-R-0775 |
| 02-R-0776 |
| 02-R-0777 |
| 02-R-0778 |
| 02-R-0779 |
| 02-R-0780 |
| 02-R-0781 |
| 02-R-0782 |
| 02-R-0783 |
| 02-R-0784 |
| 02-R-0785 |
| 02-R-0786 |
| 02-R-0787 |
| 02-R-0788 |
| 02-R-0789 |
| 02-R-0790 |
| 02-R-0792 |
| 02-R-0793 |
| 02-R-0794 |
| 02-R-0795 |
| 02-R-0796 |

02-0 -0835

(Do Not Write Above This Line)

AN ORDINANCE

BY

AN ORDINANCE AMENDING THE 2002 WATER AND WASTEWATER BOND CONSTRUCTION FUND BUDGET IN THE AMOUNT OF \$30,000,000.00 FOR THE CONSTRUCTION OF THE NANCY CREEK TUNNEL AND PUMP STATION SANITARY SEWER IMPROVEMENTS AS REQUIRED BY THE FIRST AMENDED CONSENT DECREE AND FOR OTHER PURPOSES.

ADOPTED BY  
MAY 20 2002  
COUNCIL

- ☐ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☒ PERSONAL PAPER REFER

Date Referred 5/6/02  
Referred To: City Utilities  
Date Referred  
Referred To:  
Date Referred  
Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee \_\_\_\_\_  
Date May 14 2002  
Chair \_\_\_\_\_  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: \_\_\_\_\_  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: \_\_\_\_\_  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

FINAL COUNCIL ACTION

- ☐ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED  
MAY 20 2002  
ATLANTA CITY COUNCIL PRESIDENT  
Catherine W. Hooper

CERTIFIED  
MAY 20 2002  
MAYOR'S ACTION

MAYOR'S ACTION

MAY 28 2002

Shirley Franklin